

EPA relaxes clean air rules for U.S. industrial plants

● Maine's delegation calls the change 'a giant step backward' for air quality.

The Associated Press

WASHINGTON — The Bush administration on Wednesday made it easier for thousands of older power plants, refineries and factories to avoid having to install costly clean air controls when they replace aging equipment.

In a major revision to its air pollution rules, the Environmental Protection Agency will allow up to 20 percent of the costs of replacing each plant's production system to be considered "routine maintenance" not requiring expensive anti-pollution controls, according to agency documents and EPA officials.

The new rule signed Wednesday by the EPA's acting administrator, Marianne L. Horinko, could be applied to about 17,000 facilities nationwide and culminates decades of debate over a controversial program. Electric utilities and oil companies have been urging the White House to revise the Clean Air Act program, saying the costs prohibit them from making energy-efficiency improvements.

Environmentalists say the exemption will allow power plants in the

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**U.S. Rep. Tom Allen,
D-Maine**

Midwest and South to continue emitting millions of tons of pollutants that cause health problems for people living downwind, particularly in the Northeast.

New York Attorney General Eliot Spitzer immediately threatened to sue the Bush administration in an effort he said would include other states. Spitzer and other attorneys general have already filed suits challenging earlier changes the administration made to the program.

The Maine delegation issued a statement calling the rule "a giant step backward" that poses a threat to air quality in Maine and the rest of New England.

In the statement, Republican Sens. Olympia Snowe and Susan Collins and Democratic Reps. Tom Allen and Michael Michaud said the affected plants are mainly in the Midwest and Southeast and emit pollution that

migrates to the Northeast.

"This rule will result in even more deposition of mercury and other toxic chemicals in Maine's rivers, lakes and streams, even more smog and haze to blanket Maine's towns and cities and even more of the greenhouse gases responsible for catastrophic global climate change," Allen said.

Jeff Holmstead, the EPA's assistant administrator in charge of air quality, said the rule was meant to let a plant replace a piece of equipment with something identical or functionally equivalent, as long as the plant remains within its pollution permit limits and the basic operating design remains the same.

"We can say categorically that pollution will not increase as a result of this rule," he said.

Congress put the Clean Air Act's "new source review" program into law in 1977. Until now, operators have been required to add more pollution-cutting devices if they do anything more than "routine maintenance" on a plant and cause emissions to increase significantly.

The White House-led reworking of the maintenance standard essentially allows industries — including manufacturers, chemical plants and pulp and paper mills — to modernize one-fifth of a facility's essential production systems at a time.